

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Examiner: Doan, Kiet m.
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 Engstrom, G. Eric) Art Unit: 2617
)
 Application No.: 10/551,254) Confirmation No. 1806
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 Filed: September 28, 2005)
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 For: WIRELESS MOBILE PHONE WITH)
 AUTHENTICATED MODE OF)
 OPERATION INCLUDING HEART)
 BEAT PROFILE BASED)
 AUTHENTICATION)
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U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

ASSERTION OF SMALL ENTITY STATUS

Dear Sir:

Assignee, Varia LLC, is entitled to assert small entity status for the above-referenced patent application pursuant to 37 CFR 1.27 and requests that you amend your records in accordance with this assertion.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: November 12, 2008

/Linda S. Zachariah/

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